

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.4620 of 2014

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Kamleshwari Prasad Singh Son Of Late Ramrup Prasad Singh, Resident Of
Mohalla Haveli Kharagpur Marwari Tola, P.S.- Kharagpur (Town), District Munger

.... Petitioner/s

Versus

1. The State Of Bihar through The Principal Secretary Cum Commissioner, Primary Education, New Secretariat, Patna
2. The Director, Primary Education, New Secretariat, Patna
3. The Commissioner, Munger, Division Munger
4. The District Officer, Munger
5. The Regional Deputy Director, Education, Munger
6. The District Education Officer, Munger
7. The District Programme Officer, (Establish), Munger
8. The Block Education Officer, Kharagpur, District Munger
9. The Panchayat Sevak, Gram Panchat Dariyapur, No. 2, P.S. Kharagpur, District Munger
10. The Mukhiya, Gram Panchayat Dariyanpur, No. 2, P.S.- Kharagpur, District Munger
11. The Secretary, Bihar School Examination Board, Bihar, Patna
12. Surendra Paswan Son Of Late Manik Paswan, Resident Of Madhuban, Dariyapur, P.O. Prasando, P.S. Kharagpur, District Munger

.... Respondent/s

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Appearance :

For the Petitioner : Mr. Pankaj Kumar Sinha with
Mr. Kamal Kishore Jha, Advocates

For the State : Mr. Anil Kumar Singh, AC to SC 21

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH

ORAL JUDGMENT

Date: 13-12-2016



Heard learned counsel for the parties.

Counter affidavit has been filed on behalf of respondents no. 6, 7 and 8 in which it has been disclosed that upon complaint of the petitioner, after enquiry, it has been found that the respondent no. 12 has obtained employment fraudulently. It has further been stated that the Block Education Officer-cum- Member Secretary, Block Teacher Employment Committee, Haveli Kharagpur has been asked to take appropriate action against the respondent no. 12.

Though the writ petition had been filed in the year 2014, nothing had happened and only after the last order of the Court dated 17.11.2016, the authorities have suddenly woken up in the matter and have found the allegation against the respondent no. 12 to be true. This indicates a sorry state of affairs, where even to make the authorities discharge their obligation under law, the High Court has to intervene. The Court was thus, of the opinion that strict orders were required to be passed. However, as action has been initiated, though belatedly, refrains from doing so in the present case. The matter be brought to the notice of the Principal Secretary, Department of Education to make him aware of the functioning of his subordinates.

The prayer in the writ petition seeking a direction upon the authorities to take action against respondent no. 12 and the same having been initiated, the Court does not feel the necessity to keep the



writ petition pending.

Accordingly, the writ petition stands disposed off with a direction to the respondents no. 5, 6, 7 and 8 to ensure that the matter is taken to its logical conclusion, in accordance with law, after giving opportunity of hearing to the respondent no. 12, expeditiously, and in any case, within a maximum period of three months from the date of production of a copy of this order before them.

Registry shall communicate the order to the Principal Secretary, Department of Education, Bihar, Patna, forthwith.

(Ahsanuddin Amanullah, J)

Anjani/-

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